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April 15, 2023

**Via ECF**

Hon. Philip M. Halpern  
Federal Building and Courthouse  
300 Quarropas Street, Room 530  
White Plains, New York 10601

**Re: *Gioia, et al. v. Project Veritas, et al.*, Case No. 22-cv-06710;  
Letter in Response to Plaintiffs' Request to Adjourn *Cheeks*  
Application.**

Dear Judge Halpern:

We represent Project Veritas, James O'Keefe, and Tom O'Hara ("PV Defendants") in this action. We write in response to Plaintiffs' letter requesting an adjournment of the *Cheeks* application date that was set to be made by April 14, 2023. I apologize for the delay in filing this letter. The Order directing this response was issued earlier this week while I was traveling abroad, which resulted in the delay.

The PV Defendants do not oppose Plaintiffs' request to adjourn the *Cheeks* application to a later date. The PV Defendants also respectfully request an adjournment of the date to file their Motion to Dismiss, which is currently due on April 26, 2023, in light of the settlement in principle between Plaintiffs and the PV Defendants.

We thank the Court for its attention to this action.

Respectfully submitted,

*/s/ Justin T. Kelton*

Justin T. Kelton